

FINANCING OF EDUCATIONAL EXCHANGE PROGRAM

Agreement signed at Rome December 18, 1948

Entered into force December 18, 1948

*Amended by agreements of April 28 and June 14 and 30, 1954;¹
April 22 and June 30, 1955;² June 17, 1959;³ October 5, 1966;⁴
and October 12 and December 6, 1967⁵*

62 Stat. 3465; Treaties and Other
International Acts Series 1864

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE ITALIAN REPUBLIC FOR FINANC- ING CERTAIN EDUCATIONAL EXCHANGE PROGRAMS

The GOVERNMENT OF THE UNITED STATES OF AMERICA and the GOV-
ERNMENT OF THE ITALIAN REPUBLIC

Desiring to promote further mutual understanding between the peoples
of the United States of America and of Italy by a wider exchange of knowl-
edge and professional talents;

Considering that the Secretary of State of the United States of America
may enter into an agreement for financing certain educational exchange
programs from currencies or credits for currencies acquired pursuant to the
Memorandum of Agreement dated September 9, 1946,⁶ or any supplement
or modification thereof (hereinafter collectively referred to as the *Memo-
randum*);

Have agreed as follows:

ARTICLE 1⁷

The Government of the Italian Republic shall deposit, subsequent to 30
days from December 18th 1948, with the Treasurer of the United States

¹ 5 UST 2913; TIAS 3148.

² 6 UST 2081; TIAS 3278.

³ 10 UST 1186; TIAS 4254.

⁴ 17 UST 2338; TIAS 6179.

⁵ 18 UST 3158; TIAS 6408.

⁶ Not printed.

⁷ For amendments of art. 1, see 6 UST 2081, TIAS 3278; 10 UST 1186, TIAS 4254;
17 UST 2338, TIAS 6179; and 18 UST 3158, TIAS 6408.

of America on such dates as the Government of the United States of America shall specify, amounts of Italian currency until an aggregate amount of Italian currency equivalent to \$5,000,000 (United States currency) shall have been so deposited, provided, however, that in no event shall a total amount of Italian currency in excess of the equivalent of \$1,000,000 (United States currency) be deposited during any single calendar year. The amount of currency so deposited shall reduce the amount that would otherwise be payable in dollars by the Government of the Italian Republic to the Government of the United States of America in accordance with the *Memorandum*.

The rate of exchange between Italian currency and United States currency to be used in determining the amount of Italian currency to be deposited from time to time pursuant to this agreement shall be determined in accordance with the *Memorandum*, or any supplement or modification thereof.

ARTICLE 2 ^b

The amounts thus made available to the Treasurer of the United States of America shall not be subject to the domestic and local laws of the United States of America as they relate to the use and expenditure of currencies and credits for currencies for the purposes set forth in the present agreement, and shall be considered as property constituted pursuant to a transaction entered into in accordance with the *Memorandum* and are therefore not subject in the Italian Republic to any tax, duty, or other assessment under paragraph 8 of the *Memorandum*. Such amounts shall be used for the purposes of:

1. Financing studies, research, instruction and other educational activities of or for citizens of the United States of America in schools and institutions of higher learning located in the Italian Republic or of citizens of the Italian Republic in United States schools and institutions of higher learning located outside the continental United States, Hawaii, Alaska (including the Aleutian Islands), Puerto Rico and the Virgin Islands, including payment for transportation, maintenance, tuition and other expenses, incident to scholastic activities; or

2. Furnishing transportation for citizens of the Italian Republic who desire to attend United States schools and institutions of higher learning in the continental United States, Hawaii, Alaska (including the Aleutian Islands), Puerto Rico and the Virgin Islands, and whose attendance will not deprive citizens of the United States of America of an opportunity to attend such schools and institutions.

ARTICLE 3 ^c

In order to promote the integrated development of the educational program, there shall be established a joint Commission, to be known as the

^b For amendments of art. 2, see 6 UST 2081, TIAS 3278 and 18 UST 3158, TIAS 6408.

^c For amendments of art. 3, see 6 UST 2081, TIAS 3278; 17 UST 2338, TIAS 6179; and 18 UST 3158, TIAS 6408.

American Commission for Cultural Exchange with Italy (hereinafter designated "the Commission") which will receive funds made available to the Government of the United States of America under the *Memorandum*. The funds so made available shall be placed at the disposal of the Commission by deposit in the Italian Republic in the name of the Treasurer of the Commission.

ARTICLE 4

The Commission shall exercise all powers necessary for carrying out the educational program, including the following:

(a) authorize the disbursement of the funds and the making of grants and advances therefrom;

(b) plan, adopt and carry out programs which, in the territory of the Italian Republic, shall be executed in collaboration with the Government of the Italian Republic;

(c) recommend to the Board of Foreign Scholarships, provided for in the United States Surplus Property Act of 1944,¹⁰ as amended, students, teachers, professors, research scholars, resident in the Italian Republic, and institutions situated in the Italian Republic, qualified in the opinion of the Commission to participate in the programs in accordance with the aforesaid Act;

(d) recommend to the aforesaid Board of Foreign Scholarships such qualifications for the selection of participants in the programs as it may deem necessary;

(e) provide for periodic audits of the accounts of the Commission as directed by auditors selected by the Secretary of State of the United States of America;

(f) engage an executive officer, administrative and clerical staff and fix and authorize the payment of salaries and wages thereof out of the funds made available.

ARTICLE 5

All expenditures authorized by the Commission shall be made in accordance with budgets to be approved by the Secretary of State of the United States of America pursuant to such regulations he may prescribe, and the Commission shall not authorize any commitments or create any obligation in excess of the part of the funds actually placed at its disposal at the time of the authorization.

ARTICLE 6

The Commission shall consist of twelve members, six of whom shall be citizens of the United States of America, six of whom shall be citizens of the Italian Republic.

¹⁰ 58 Stat. 765.

Of the citizens of the United States of America, a minimum of three shall be officers of the United States Foreign Service Establishments in the Italian Republic; one of them shall serve as Treasurer. The principal officer in charge of the Diplomatic Mission of the United States of America in the Italian Republic shall be Honorary Chairman of the Commission. He shall have the power of appointment and removal of the United States citizens on the Commission, and deciding vote in case of tie. The citizens of the Italian Republic on the Commission shall be appointed and may be removed by the Government of the Italian Republic. A Chairman with voting power shall be elected by the Commission from among its members.

The members shall serve from the time of their appointment until one year from the following December 31st, and shall be eligible for reappointment. Vacancies by reason of resignation, transfer of residence outside the territory of the Italian Republic, expiration of term of service or otherwise, shall be filled in accordance with the above procedure. The members shall serve without compensation, but the Commission may authorize the payment of the necessary expenses of the members in attending the meetings of the Commission.

The Commission shall adopt such rules and appoint such committees as it deems necessary for the conduct of its affairs.

ARTICLE 7

Reports shall be made annually on the activities of the Commission to the Secretary of State of the United States of America and the Government of the Italian Republic. Such reports shall be submitted in such form and detail as may be required by the Secretary of State.

ARTICLE 8

The principal office of the Commission shall be in Rome, but meetings of the Commission and any of its committees may be held in such other places as the Commission may from time to time determine, and the activities of any of the Commission officers or staff may be carried on at such places as may be approved by the Commission, within the limit of any rules, regulations and restrictions in force in territories under the authority of the Italian Republic.

ARTICLE 9

Wherever in the present agreement, the term "Secretary of State of the United States of America" is used, it shall be understood to mean the Secretary of State of the United States of America or any officer or employee of the Government of the United States of America designated by him to act on his behalf.

ARTICLE 10¹¹

The Government of the United States of America and the Government of the Italian Republic shall make every effort to facilitate the exchange of persons programs authorized in this agreement and to resolve problems which may arise in the operation thereof.

ARTICLE 11¹²

The present agreement shall enter into force on the date of its signature. It shall be reviewed at the expiration of a period of three years. It may also be reviewed at any prior time at the instance of one or the other Government.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed the present agreement.

DONE in Rome, this 18th day of December 1948 in duplicate in the English and Italian languages, both equally authentic.

For the Government of the United States of America:

JAMES CLEMENT DUNN

For the Italian Government:

SFORZA

¹¹ For an amendment of art. 10, see 18 UST 3158; TIAS 6408.

¹² For an amendment of art. 11, see 6 UST 2081; TIAS 3278.